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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of decision: 22nd September, 2026

Uploaded on: 24th September, 2026

CNR No. DLHC010453852026

+ **CONT.APP.(C) 22/2026**

BHARAT SINGH RAWAT

.....Appellant

Through: Ms. Gayatri Puri, Mr. Saksham Sethi
and Mr. Siddhant Sahil, Advocates

versus

DR POONAM SINGH RAWAT

.....Respondent

Through: None.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE DINESH BHATT

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.

CRL.M.A. 65365/2026 (exemption)

2. Allowed, subject to all just exceptions. Application is disposed of.

CRL.M.A. 65364/2026 (for condonation of delay of 08 days in filing appeal)

3. This is an application seeking condonation of delay of 8 days in filing the appeal.

4. For the reasons mentioned therein, delay in filing the appeal is condoned.

5. Application is allowed and disposed of.



CONT.APP.(C) 22/2026 & CM APPL. 65363/2026 (ex-parte-stay)

6. The present appeal has been filed by the Appellant under Section 19(1)(a) of the Contempt of Courts Act, 1971, *inter alia*, assailing the impugned order dated 27th July, 2026 passed by the Id. Single Judge in **Cont. Cas. (C) 1295/2026** titled '**Poonam Singh Rawat and Ors. v. Bharat Singh Rawat**'.

7. The grievance of the Respondent in the **Cont. Cas. (C) 1295/2026** was that the order of the Family Court-02, East District, Karkardooma Courts, Delhi, in respect of the maintenance to be paid to the Respondent, is not being complied with by the Appellant.

8. *Vide* the impugned order, Id. Single Judge has held as under:

"17. He further submits that there are only 33 cases, which are pending between the parties, and not 123.

18. He further submits that since the petitioners have already filed execution petitions, this contempt petition ought not to be entertained.

19. He submits that if the present petition is entertained, then he shall also file cases before this Court, and this Court would be flooded with cases.

20. This Court has taken a very serious view of the aforesaid statement made by the respondent, who is a practising lawyer and appearing in person before this Court.

21. The respondent has apologized to this Court.

22. This Court notes the submission made by learned counsel appearing for the petitioners that the respondent had been paying an amount of Rs. 10,000/~ per month, in comparison to the amount of Rs. 20,000/~ per month,



which is due and payable. Thus, as on date, an amount of Rs. 5,60,000/- is due and payable by the respondent to the petitioners.

23. The details as given in the petition, is reproduced as under:

“xxx xxx xxx

pp. That the total calculation of the arrears of maintenance is given herein below:-

i) Domestic ~ Violence Maintenance Order dated 16.03.2019 — Rs.10000/- was granted as ad-interim maintenance.

ii) Maintenance Order u/s 125 CrpC Petition dated 16.04.2024 - maintenance granted Rs.20000/- from the date of filing i.e. 25.6.21.

iii) Total amount paid from 25.6.21 to till date XXX s.180000/-

iv) Adjustment of amount to be paid to husband Rs.460000/-

v) Total arrears Rs.1200000/- minus 180000 + 460000 = 560000/-

vi) Total arrears is Rs.5600000/-

xxx xxx xxxx”

24. Accordingly, the respondent is granted liberty to file response to the aforesaid petition.

25. He is further directed to comply with the orders of this Court and pay the due arrears as aforesaid.

26. Let the needful be done, before the next date of hearing.”



9. A perusal of the impugned order shows that there are a large number of cases ongoing between the parties, including two contempt petitions.

10. Ld. Counsel for the Appellant submits that the proceedings deserve to be clubbed as the Appellant is being forced to defend and prosecute various cases, due to one matrimonial dispute. It is stated that the Appellant and Respondent are husband and wife, and are stated to be practising lawyers.

11. The Court has considered the matter. The observation of the Id. Single Judge in the impugned order is to only comply with the order and pay the arrears.

12. Furthermore, in view of the decision of the Supreme Court in ***Midnapore Peoples' Coop. Bank Ltd. v. Chunilal Nanda*, (2006) 5 SCC 399** the present appeal is not maintainable. In '***Midnapore Peoples' Coop. Bank Ltd. v. Chunilal Nanda* (2006) 5 SCC 399**, the Court has clearly held that appeals under Section 19 of the Contempt of Courts Act, 1971 would be maintainable only in respect of orders punishing for contempt. The relevant portion is set out below:

“11. The position emerging from these decisions, in regard to appeals against orders in contempt proceedings may be summarised thus:

I. An appeal under Section 19 is maintainable only against an order or decision of the High Court passed in exercise of its jurisdiction to punish for contempt, that is, an order imposing punishment for contempt.

II. Neither an order declining to initiate proceedings for contempt, nor an order initiating proceedings for contempt nor an order dropping the proceedings for contempt nor an order acquitting or exonerating the contemnor, is appealable under Section 19 of the CC Act. In special circumstances, they may be open to



challenge under Article 136 of the Constitution.

III. In a proceeding for contempt, the High Court can decide whether any contempt of court has been committed, and if so, what should be the punishment and matters incidental thereto. In such a proceeding, it is not appropriate to adjudicate or decide any issue relating to the merits of the dispute between the parties.

IV. Any direction issued or decision made by the High Court on the merits of a dispute between the parties, will not be in the exercise of “jurisdiction to punish for contempt” and, therefore, not appealable under Section 19 of the CC Act. The only exception is where such direction or decision is incidental to or inextricably connected with the order punishing for contempt, in which event the appeal under Section 19 of the Act, can also encompass the incidental or inextricably connected directions.

V. If the High Court, for whatsoever reason, decides an issue or makes any direction, relating to the merits of the dispute between the parties, in a contempt proceedings, the aggrieved person is not without remedy. Such an order is open to challenge in an intra-court appeal (if the order was of a learned Single Judge and there is a provision for an intra-court appeal), or by seeking special leave to appeal under Article 136 of the Constitution of India (in other cases).

The first point is answered accordingly.”

13. The above judgment has been followed by this Court in **CONT.APP.(C) 23/2025** titled '**RK Sharma v. Sh. Amarjeet Singh**' and recently in **CONT.APP.(C) 6/2026** titled '**Tribhuwan Singh & Ors. v. Shri Chetan Prakash Jain and Anr.**

14. In view thereof, the impugned order would not be an appealable order under Section 19 of the Contempt of Courts Act, 1971, as no punishment has



been meted out to the Appellant.

15. In so far as the prayer of clubbing of the various cases is concerned, for the said purpose, the Appellant may prefer an appropriate application before the Id. Single Judge, in accordance with law.

16. The appeal is disposed of in the above terms. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH, J

DINESH BHATT, J

SEPTEMBER 22, 2026 'rs'/sm